



COLORADO

Department of Health Care
Policy & Financing

Medical Services Board

MINUTES OF THE MEETING OF THE MEDICAL SERVICES BOARD

303 East 17th Avenue
7th Floor Conference Room
Denver, CO

November 13, 2015

1. Call to Order

Brenda LaCombe called the meeting to order at 9:00 a.m.

2. Roll Call

The Board Coordinator called the roll. There were sufficient members for a quorum, with nine members participating and two members excused.

A. Members Present

Christy Blakely, Patricia Givens, Bregitta Hughes, Jessica Kuhns, Brenda LaCombe, Paul Melinkovich, Amanda Moorer, David Potts, and Mike Stahl.

B. Members Excused

Donna Roberts and Mary Trujillo-Young

C. Staff Present

Gretchen Hammer, Deputy Executive Director/Director, Health Programs Office; Jennifer Weaver, First Assistant Attorney General; Judi Carey, MSB Coordinator; and Dan Hutchinson, Staff Support

3. Announcements

Ms. LaCombe announced the next Medical Services Board Meeting will be held in the 7th floor conference room at 303 East 17th Avenue in Denver on Friday, December 11th at 9:00 a.m.

It is the policy of this Board and the Department to remind everyone in attendance that this facility is private property. The capacity of the meeting room is 80. Please do not block the doors or stand around the edges of the room. Please turn cell phones off while in the meeting room, as they interfere with the recording equipment.



4. Approval of Minutes

Mr. Potts moved for the approval of the October minutes. The motion was seconded by Ms. Hughes. There were no comments and the minutes were approved as submitted, 8:0.

5. Rules

A. FINAL PERMANENT ADOPTION by CONSENT AGENDA

1) Document 01 MSB 15-08-25-A

Revision to the Medical Assistance Payment Reform Rule Concerning Federally Qualified Health Centers – Definitions, Section 8.700.1

2) Document 02 MSB 15-01-13-A

Revision to the Medical Assistance Long Term Services and Supports Rule Concerning Children's Home and Community Based Services Waiver, Section 8.506

Ms. Blakely moved for the final permanent adoption by consent of Documents 01 and 02. The motion was seconded by Mr. Stahl.

The Board voted for the final permanent adoption by consent of Documents 01 and 02, 8:0.

Ms. Kuhns joined the meeting.

B. INITIAL APPROVAL AGENDA

1) Document 03 MSB 15-07-08-C

Revision to the Medical Assistance Health Programs Office Benefits Management Section Rule Concerning Pediatric Personal Care, Section 8.535

Elizabeth Freudenthal, Health Programs Office Benefits Management Section, and Amanda Forsythe, Health Programs Office Operations Section, presented the proposed rule and explained that it is intended to clean up language, align with current practice and provide ease of understanding for stakeholders and clients.

Board Discussion

Board discussion and questions included: that the original rule required clients to meet a minimum three task threshold in order to qualify; that this rule removed the three task minimum requirement to align with current practice; that department staff are working one-on-one with providers to help get clients enrolled; that issues identified have been with the Utilization Management (UM) vendor and not with the benefit; that the Department has developed and posted online a webinar, fact sheets, and one-on-one assistance to providers to help with the process; that staff used the same

language that is in the Home Health rule to define how services are provided in schools; that if there is not an Individualized Education Plan (IEP) in place for the student, Medicaid will pay; and that the emergency rule presented to the MSB in September will not come back for final adoption because the permanent changes are included in this rule.

Public Testimony

Bethany Pray, Colorado Center on Law Policy

Public testimony included: that stakeholders appreciate the work done by the Department; that stakeholders are in agreement with the changes made to the rule language; that stakeholders feel their concerns were heard; and that department staff and leadership have been very helpful in this process.

Dr. Givens moved for the initial approval of Document 03. The motion was seconded by Ms. Blakely.

The Board voted for the initial approval of Document 03, 9:0.

C. TABLED RULE for FINAL PERMANENT ADOPTION AGENDA

2) Document 04 MSB 15-02-09-A

Revision to the Medical Assistance Home and Community Based Services for Persons with Brain Injury Rule Concerning Independent Living Skills Training (ILST), Section 8.516.10

Colin Laughlin, Long-Term Services and Supports HCBS Benefits Unit, presented the proposed rule and explained that it improves service definitions, adds clarity, and eases provider restrictions to allow for more coverage in rural areas. In the two months since initial approval, department staff addressed stakeholder concerns with the rule.

Board Discussion

Mr. Stahl stated that he works for an agency that is interested in becoming an ILST provider.

Board discussion and questions included: appreciation for department staff's work with stakeholders to benefit clients; that the requirement for the trainer to have a degree can be any level of degree; that the intent of this rule is to allow service agencies flexibility and latitude to develop trainings; that the department will work with providers on an individual basis to prepare them for the process; and that there currently are only three providers and all have been involved in this process.

Public Testimony

Melissa Abate, Learning Services

Public testimony included: that there is support for this rule; that this rule provides structure that will provide success in the community; that clients

will be able to learn to live independently again; and that there needs to be oversight in order to change and improve care plans.

Mr. Stahl moved that Document 04 be removed from the table for final permanent adoption. The motion was seconded by Dr. Melinkovich.

The Board voted for the final permanent adoption of Document 04, 9:0.

D. Consent Agenda Motion

Mr. Stahl moved to place Document 03 on the Final Permanent Adoption by Consent agenda. The motion was seconded by Dr. Melinkovich and approved, 9:0.

E. Closing Motion

Ms. Blakely moved to close the rules portion of the agenda. The motion was seconded by Mr. Stahl and approved, 9:0.

6. Open Comments

No one signed up for public comment in the open forum.

7. Department Updates

- Child Health Plan *Plus* (CHP) Quarterly Report - Written
- Budget/Legislative Update – Josh Block, Budget Division, and Zach Lynkiewicz, Legislative Liaison
- Department Updates/Questions – Gretchen Hammer, Medicaid Director, Deputy Executive Director

8. The meeting was adjourned at 10:30 a.m.

The next scheduled meeting of the Medical Services Board is at 9:00 a.m. on Friday, December 11, 2015 in the 7th floor conference room at 303 East 17th Avenue, Denver, CO.

Reasonable accommodations will be provided upon request for persons with disabilities. Please notify the Board Coordinator at 303-866-4416 or judith.carey@state.co.us or the 504/ADA Coordinator hcpf504ada@state.co.us at least one week prior to the meeting.